



GALVESTON COUNTY, TEXAS

COMMISSIONERS COURT 722 Moody, County Courthouse, Galveston, TX 77550 (409) 766-2244

Mark Henry Ryan Dennard Kevin O'Brien Stephen Holmes Ken Clark
County Judge Commissioner, Precinct 1 Commissioner, Precinct 2 Commissioner, Precinct 3 Commissioner, Precinct 4

AGENDA

November 10, 2014 – 1:30 PM

CONSENT AGENDA: ALL ITEMS MARKED WITH A SINGLE ASTERISK (*) ARE PART OF THE CONSENT AGENDA AND REQUIRE NO DELIBERATION BY THE COMMISSIONERS COURT. ANY COMMISSIONERS COURT MEMBER MAY REMOVE AN ITEM FROM THIS AGENDA TO BE CONSIDERED SEPARATELY.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding contact the County Judge's office at 722 Moody, Galveston, Texas 77550 (409) 766-2244.

REGULARLY SCHEDULED MEETING

Call to Order

Invocation and Pledge of Allegiance

Consent Agenda

- *1. Submitted by the Auditor's Office:
 - a. Approval of the Accounts Payable Checks dated 11/4/14 and 11/10/14
 - b. Notification for Early Release of Checks payable to LexisNexis. Check needed by 10/30/14
 - c. Order for Payroll period ending 11/05/14 Bi-Weekly #23
 - d. Order for Supplemental Payroll period ending 11/05/14 Bi-Weekly #23
 - e. Audited FY2014 Chapter 59 Asset Forfeiture Report for period 9/1/13 - 8/31/14
 - f. Internal Audit report of Justice of the Peace, Precinct 7 for period 6/1/13 - 5/31/14 with response letter from Honorable Toni Randall dated 10/8/14
 - g. Internal Audit report of the surprise cash count performed at the Tax Office's Santa Fe branch location with an e-mail response from Honorable Cheryl Johnson dated 10/22/14

- *2. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #22, October 9-22, 2014* submitted by Human Resources.
- *3. Receive and file *Notice pursuant to H.B. 3059, Section 366.005 of Texas-New Mexico Power Company providing utility service to Galveston County* submitted by the County Judge.
- *4. Consideration of *resolution recognizing Railean Distillers, LLC.* submitted by the County Judge.
- *5. Consideration of a *resolution concerning the State of Texas and Texas Parks and Wildlife Department for Waterways and Natural Resources* submitted by the County Judge.
- *6. Consideration of *appointment to replace Frank Marabella on the Galveston County Emergency Services District No. 1* submitted by Commissioner, Precinct 2.
- *7. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) for the US Army National Guard - La Marque Unit for use of the Wayne Johnson Community Center for their holiday party on Friday, December 5, 2014* submitted by the Parks Department.
- *8. Receive and file *Correction to Tax Assessor Collector VIT Division Budget #151551* submitted by the Tax Assessor/Collector.
- *9. Receive and file *Transfer of Funds to cover the last payment for the Elections Mobile App* submitted by the County Clerk.
- *10. Consideration of a *Highland Bayou Diversion Channel permit to Dow Hydrocarbons and Resources LLC to install a 12" pipeline by directional drilling under the Diversion Channel* submitted by the County Engineer.
- *11. Consideration of *authorizing County Judge to sign the following contract renewal letters for FY2015* submitted by Director of Contract Services:
 - a. The Children's Center
 - b. The Gulf Coast Freight Rail District
 - c. Galveston Windstorm Action Committee
 - d. Gulf Coast Center San Leon/Bacliff Connect Transit Route
- *12. Consideration of *approval of Application to the FY 2015 Texas Indigent Defense Formula Grant* and Authorization of the County Judge to sign the required *Resolution* submitted by the Grants Manager.

- *13. Consideration of *executing FY 2015 Coastal Erosional Planning and Response Act Interlocal Project Cooperation Agreement* with the General Land Office for the GIWW-Rollover Bay Reach Beach Nourishment and Beneficial Use of Dredged Material project submitted by the Grants Manager.
- *14. Consideration of *acceptance of FY 2015 Victims of Crime Act Grant for the District Attorney's Victims Assistance Coordinator Program* submitted by the Grants Manager.
- *15. Consideration of *authorizing County Judge to sign the contract between Galveston County and Rosenberg Library* submitted by Director of Professional Services.
- *16. Consideration of *approval of a renewal contract with Kaseya for annual software maintenance* submitted by Information Technology.
- *17. Consideration of *approval of a contract renewal with Stenograph for hardware support for the Stenograph machines used by court reporters* submitted by Information Technology.
- *18. Consideration of *approval to purchase Lifesize Icon Phone 600 w/ 10x optical zoom with a one year assurance maintenance with Face to Face Live* submitted by Information Technology.
- *19. Consideration of *approval to amend service agreement for 5 UVC flexports and clearsea calling ports with Face to Face Live* submitted by Information Technology.
- *20. Consideration of *approval for a contract renewal for user licenses for electronic employee management system with GHG Corporation* submitted by Information Technology.
- *21. Consideration of *approval to purchase enterprise license agreement for Google drive accounts* submitted by Information Technology.
- *22. Consideration of *approval of renewal of software maintenance for technical services and support for IFAS IBM Machines with IBM Corporation* submitted by Information Technology.
- *23. Consideration of *approval of renewal software maintenance for OSSI with Sungard Public Sector Inc.* submitted by Information Technology.
- *24. Consideration of *approval to purchase BASIS Access Control System Software Support with Stanley Convergent Security Solutions Inc.* submitted by Information Technology.
- *25. Receive and file *RFP #B142015 Substance Abuse Treatment Services* submitted by the Purchasing Agent.

*26. Consideration to *amend the contracts on the following bids* submitted by the Purchasing Agent:

- a. Bid #B132016 Financial Assistance Program for Galveston County
- b. Bid #B142021 Corrugated Polyethylene Pipe for Culverts

*27. Consideration of *approval for Tax refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:

- a. **P502673** \$3,233.15 Over Payment

*28. Request for *Waiver or Refund or Penalty and Interest Due to Clerical Errors* submitted by the Tax Assessor/Collector:

- a.

R205804	Dafonte, Tammy & John	2005	\$325.54
R205804	Dafonte, Tammy & John	2006	\$343.27
R205804	Dafonte, Tammy & John	2007	\$259.68
R205804	Dafonte, Tammy & John	2008	\$228.68
R205804	Dafonte, Tammy & John	2009	\$83.47
R205804	Dafonte, Tammy & John	2010	\$71.71
R205804	Dafonte, Tammy & John	2011	\$59.81
R205804	Dafonte, Tammy & John	2012	\$47.86
R205804	Dafonte, Tammy & John	2013	\$1.45

*29. Request for *Ratification of Denial of Request for Waiver or Refund of Penalty and Interest as Recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:

- a.

R101321	Singleton, Robert & Laverne	2011	\$573.82
H318100123902000	McNamara, Patricia	2013	\$81.62
R103084	Petershagen, John	2013	\$185.63
R122529	Augborn, Johnnie & Lois	2011	\$594.90
R128240	Garvin, Julie & Michael	2013	\$4,587.93

*30. Consideration of *approval of a series of Change Orders to construction Trade Agreements for the Record Storage Facility and Hurricane Ike Repairs at the Old North Jail and Old Courthouse Annex* submitted by the County Architect:

- a. Change Order 02 – KenMor Electric, LLP. adds \$74,999 to the \$1,164,778 agreement. This provides for security lighting and lightning protection.
- b. Change Order 01 – Manning Masonry Co., Inc. adds \$4,482 to the \$54,474 agreement. This provides for some masonry repairs and to cut an opening for the Print Center service counter.

- c. Change Order 01 – Mitchell Chuoke Plumbing, Inc., adds \$2,812.66 to the \$522,629 agreement. This adds a floor drain necessary to operate the AHU in the Old Jury Assembly Room.
 - d. Change Order 01 – Mesa Mechanical, Inc. adds \$5,998.98 to the \$1,606,416.54 agreement. This adds ductwork for the restroom exhaust in the Annex.
 - e. Change Order 01 – Ardent Construction, LLC. (drywall) adds \$20,752.99 to the \$1,086,750 agreement. This adds the overhead coiling door and miscellaneous items to complete the project.
 - f. Change Order 01 – Ardent Construction, LLC. (Glass and Glazing) adds \$7,488.69 to the \$94,500 agreement. This adds door 100 in the Old Courthouse Annex.
 - g. Change Order 01 – JW Kelso Company, Inc. adds \$194,109.99 to the \$727,570.03 agreement. This extends the General Conditions to complete the project.
- *31. Consideration of *approval of an agreement with Boucher Design Group, LLC. to provide Architectural Services for the Galveston County Edgewater Community Center Building in Bacliff, Texas* submitted by the County Architect.
 - *32. Consideration of *approval of execution of Fire and Rescue contract with Kemah Volunteer Fire Department* submitted by the County Judge.
 - *33. Consideration of *approval for economic development strategic planning services by the Galveston County Economic Alliance* submitted by the County Judge.
 - *34. Consideration of *approval for economic development policy development and director level hiring by the Bay Area Houston Economic Partnership* submitted by the County Judge.
 - *35. Consideration of *approval to accept four “Watch for Motorcycles” signs donated by Allstate Insurance Company’s One is Never Enough program* submitted by Road & Bridge.

Action Agenda

36. County Engineer

- a. Consideration of approval of a professional services agreement with Cobb Fendley & Associates, Inc. for Bacliff Outfall Ditch through DISD property and 64 Acre Park.

- b. Consideration of approval of a professional services agreement with Cobb Fendley & Associates, Inc. for 64 Acre Park Access Road.

37. **County Judge**

- a. Consideration of granting authority to County Judge to sign a Resale Deed on the following tax foreclosed property (for reconsideration from 9/30/14 agenda):
 - 1. **CAD#: 7056-0000-0345-006**
- b. Consideration of granting authority to County Judge to sign a Trustee's Deed on the following tax foreclosed property (2 offers received):
 - 1. **CAD# 6705-0000-0003-001**

38. **County Legal**

- a. **Break into Executive Session.**
- b. **Executive Session:** Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to Civil Action No. 01-14-00820-CV; In re Galveston County Judge Mark Henry et al, in Their Official Capacities, in the First Court of Appeals, Houston.
- c. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: rendering legal advice about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct conflicts with the Open Meetings Act relating to DJ # 204-74-343, The United States of America and Galveston County, Texas under the Americans with Disabilities Act.
- d. **Executive Session:** Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to real property in the vicinity of Rollover Pass.

- e. **Executive Session:** Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to contemplation of or pending litigation involving Raymond Benoist.
- f. **Reconvene into Regularly Scheduled Session.**

39. **Housing Department**

- a. Consideration of appointment of Sheriff of Galveston County to conduct a public auction to sell and complete the transfer of real properties at the request of the Galveston County Housing Department:
 - 1. 1010 11th 1/2 St. N. Texas City
 - 2. 909 Cypress La Marque
 - 3. 715 Grafton La Marque

40. **Professional Services**

- a. Consideration of approval of the following Budget Amendments:
 - 1. 15-015-1110-A
Justice Administration - Request additional funds from January 2015 to September 2015 for JP Floater position.
 - 2. 15-016-1110-B
Facilities Services & Maintenance - Request a transfer of the Deputy-Special Operations position from Facilities Services to the Sheriff's Dept. - Corrections .
 - 3. 15-017-1110-C
Sheriff's Department - Corrections - Request an increase in Sheriff's Dept. - Correction from Deputy-Special Projects to a Deputy V LE position.
 - 4. 15-018-1110-D
County Engineer - Request funds for additional Corp Review for FY 2015.

5. 15-019-1110-E
Professional Services - Request funds to cover Galveston Economic Alliance for FY 2015.
6. 15-020-1110-F
County Clerk - Budget request to roll County Clerk budget for indexing project not completed in FY 2014 to FY 2015.

41. **Purchasing**

- a. Consideration to award a contract for the following RFP's:
 1. RFP #B141022A CDBG-DRS Round 2 Rental Program for Galveston County Texas
 2. RFP #B142022 Indigent Burial Services

Adjourn

WORKSHOP AGENDA

1. Discuss new policy and criteria to manage the Hazard Mitigation Grant Program (HMGP) Buy-out properties.
2. Discussion of permitting fees and photography at Galveston County Parks.

Appearances before Commissioners Court

A speaker whose subject matter as submitted relates to an identifiable item of business on this agenda will be requested by the County Judge or other presiding court members to come to the podium where they will be limited to three minutes (3). A speaker whose subject matter as submitted does not relate to an identifiable item of business on this agenda will be limited to three minutes (3) and will be allowed to speak before the meeting is adjourned. Please arrive prior to the meeting and sign in with the County Clerk.
